

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board**
2900 Crystal Drive
Arlington, Virginia 22202-3513

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Mailed: August 31, 2004

Opposition No. 91155955

TWIN LABORATORIES INC.

v.

Breakthrough Engineered
Nutrition, Inc.

On July 30, 2004, opposer filed a withdrawal of the opposition in accordance with the parties' settlement agreement, with applicant's written consent. On August 5, 2004, applicant filed an abandonment of its application Serial No. 76/439,124, with prejudice.

In view thereof, application Serial No. 76/439,124 stands abandoned, and the opposition is dismissed in accordance with the settlement agreement between the parties.

***By the Trademark Trial
and Appeal Board***